

### **REMARKS**

This Amendment is in response to the Office Action dated May 17, 2007. Claims 52, 55, 56 and 60-62 have been amended. Claims 52-66 are in the case, with claims 52, 60, 61 and 62 being in independent form.

Claims 52-66 were rejected under 35 U.S.C. §103(a), as allegedly being unpatentable over U.S. Patent 6,304,857 to Heindel et al. in view of U.S. Patent 5,974,146 to Randle et al. Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits independent claims 52 and 60-62 are patentable over the cited art for at least the following reasons.

Applicant's undersigned Attorney thanks the Examiner for the courtesies extended during the telephone interview conducted July 2, 2007. During that interview, various aspects of the present disclosure were discussed. In particular, the independent claim language was discussed in view of the cited art.

Independent claim 52 relates to a method for conducting financial transactions comprising, *inter alia*, linking a first terminal identifier of a first communication device to a first account number within a database, with the computer being in communication with a communication network and also being in communication with at least one database containing details of a first account which has the first account number and also containing details of a second account which has a second account number. The method further comprises receiving from the first communication device via the communication network, the first terminal identifier of the first communication device, a second terminal identifier instead of the second account number, and an amount to be paid from the first account and accessing the intermediate database and using the first terminal identifier of the first communication device to obtain details of the first account. The details of the first account are used to communicate a signal to interrogate the first account to determine whether sufficient funds are available in the first account to effect payment and when it is determined that sufficient funds are available, communicating a signal to

debit the first account and to credit the second account.

Heindel et al., as understood by Applicant, relates to a distributed electronic billing system with gateway interfacing biller and service center. As discussed during the interview, Heindel et al relates to an electronic billing system which converts billing data from a legacy billing system (e.g., a paper billing system) into an electronic bill format.

However, Heindel et al. provides no teaching or suggestion of linking a first terminal identifier of a first communication device to a first account number within a database, with the computer being in communication with a communication network, as recited in independent claim 52. In addition, Applicant finds no teaching or suggestion of receiving from the first communication device via the communication network the first terminal identifier of the first communication device, a second terminal identifier instead of the second account number, and an amount to be paid from the first account and accessing the intermediate database and using the first terminal identifier of the first communication device to obtain details of the first account.

Randle et al. is not believed to provide any of the elements missing from Heindel et al. that would have made the claimed features obvious to a person of ordinary skill in the art.

Accordingly, Applicant submits independent claim 52 is patentable over the cited art. The other independent claims are believed to be patentable for at least similar reasons.

In view of the present Amendment, it is believed that the claims are now in condition for allowance. Accordingly, prompt consideration and allowance of the present application are respectfully requested.

It is submitted that no new matter has been added and no new issues have been raised by the present Amendment.

The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard F. Jaworski', is written over a horizontal line.

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